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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE SMITH, JR.,
aka "JR,"

Defendant.

) INFORMATION

)
) **1 16 CR 0396**
)

) CASE NO.

) Title 18, Section 1349, United
) States Code
)
)

JUDGE OLIVER

GENERAL ALLEGATIONS

The United States Attorney charges:

1. At all times material herein, Craigslist was an online marketplace on which individuals posted vehicles and other items for sale. Craigslist hosted and maintained its website through servers located in Arizona and California.
2. At all times material herein, Pinger was a Voice-Over-Internet-Protocol service provider that maintained servers in California.
3. At all times material herein, Google was an email service provider that maintained servers located in California.

COUNT 1

(Conspiracy to Commit Wire Fraud, 18 U.S.C. § 1349)

The United States Attorney further charges:

4. The general allegations in paragraphs 1 through 3 are incorporated herein and realleged by reference.

5. From in or around July 2014, and continuing through in or around August 2015, the exact dates being unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendant GEORGE SMITH, JR., aka "JR", and other persons known and unknown to the United States Attorney (hereinafter, "co-conspirators"), knowingly and voluntarily, did combine, conspire, confederate, and agree with one another to commit certain offenses against the United States, namely: to knowingly devise and intend to devise a scheme and artifice to defraud individual property owners and to obtain money and property by means of false and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1343.

Objects of the Conspiracy

6. The objects of the conspiracy included (1) enriching SMITH and co-conspirators, (2) defrauding vehicle sellers, and (3) concealing the scheme from law enforcement.

Manner and Means of the Conspiracy

The manner and means used by SMITH and his co-conspirators to carry out the conspiracy included, among others, the following:

7. SMITH and co-conspirators accessed Internet websites such as Craigslist to identify individuals who were advertising automobiles, motorcycles, and other recreational vehicles (hereinafter, "vehicles") for sale on the websites (hereinafter, "sellers").

8. SMITH and co-conspirators contacted the sellers to offer to purchase their vehicles. In doing so, SMITH and co-conspirators sent emails and text messages and placed telephone calls from Ohio to other States, including California and Michigan. SMITH and co-conspirators obtained the sellers' contact information from the Craigslist postings.

9. SMITH and co-conspirators used multiple methods to deceive sellers into believing that they were bona fide purchasers.

a. One method entailed SMITH and co-conspirators providing personal identifying information of third-parties to the seller. Providing such information reassured the buyer that he or she was negotiating with a legitimate buyer.

b. A second method used by SMITH and co-conspirators was to deliver a counterfeit cashier's check to the seller for the entire purchase price of the vehicle. These counterfeit cashier's checks purported to draw funds from national banks, including US Bank, Key Bank, and Huntington National Bank. By purporting to pay with cashier's checks, SMITH and co-conspirators gave the impression to the buyer that the payment was secure.

c. A third method used by SMITH and co-conspirators was to use aliases when identifying themselves to the seller. In some instances, SMITH and co-conspirators misrepresented to sellers that they were affiliated with an auto repair shop and/or dealership.

10. SMITH and co-conspirators met with the sellers and delivered the cashier's checks in the amount of the purchase price listed by the sellers. In exchange, the sellers gave possession of the vehicles to SMITH and co-conspirators. In some cases, the sellers also transferred the vehicle titles to SMITH and co-conspirators.

11. SMITH and co-conspirators used different telephone numbers and different aliases as part of this scheme in order to conceal their identities and avoid detection by law enforcement.

Acts in Furtherance of the Conspiracy

In furtherance of the conspiracy and to effect its unlawful objects, SMITH and co-conspirators committed and caused to be committed the following acts, among others:

12. From in or around July 2014, and continuing to in or around August 2015, while in Ohio, SMITH and co-conspirators accessed the Craigslist website, whose servers were located in Arizona and California, to identify vehicle sellers.

13. On or about July 25, 2014, SMITH, Co-Conspirator #1 (whose identity is known to the United States Attorney), and co-conspirators obtained a 2008 Range Rover (VIN: SALME15448A276278), from an individual in Lewis Center, Ohio, using a counterfeit Credit Union One cashier's check, bearing check number 5794, in the amount of approximately \$23,500.00.

14. On or about July 25, 2014, SMITH, Co-Conspirator #1, and co-conspirators obtained a 2005 Volkswagen Touareg (VIN: WVGBG77L15D008861), from an individual in Lewis Center, Ohio, using a counterfeit Credit Union One cashier's check, bearing check number 5796, in the amount of approximately \$4,600.00.

15. On or about July 25, 2014, during the above-described Volkswagen Touareg transaction, SMITH provided the Social Security Number of T.W. (a real person known to the United States Attorney) to a vehicle seller. SMITH represented to the seller that the Social Security Number belonged to him. In truth and in fact, however, as SMITH then knew, T.W. had

no knowledge of the proposed transaction and had not consented to SMITH's use of T.W.'s Social Security Number.

16. On or about September 23, 2014, SMITH, Co-Conspirator #1, and co-conspirators obtained a 2003 Infiniti FX35 (VIN: JNRAS08W33X000531), from an individual in Willoughby Hills, Ohio, using a counterfeit PNC cashier's check, bearing check number 64126, in the amount of approximately \$10,500.00.

17. On or about November 18, 2014, SMITH, Co-Conspirator #2 (whose identity is known to the United States Attorney), and co-conspirators obtained a 2004 Ford F-150 (VIN: 1FTPW14574FA46601), from an individual in Jackson Township, Michigan, using a counterfeit Huntington Bank cashier's check in the amount of approximately \$12,000.00.

18. On or about February 17, 2015, while in Ohio, SMITH, Co-Conspirator #3 (whose identity is known to the United States Attorney), and co-conspirators made telephone calls and sent text messages to an individual in Michigan in order to arrange the purchase of a 2004 Porsche Cayenne (VIN: WP1AB29P14LA61337) for \$8,000.00. In these communications, SMITH, Co-Conspirator #3, and co-conspirators provided the seller with the personal identifying information of R.G. (a real person known to the United States Attorney), and told the seller that R.G. would be purchasing and titling the Porsche Cayenne. In truth and in fact, however, as SMITH then knew, R.G. had no knowledge of the proposed transaction and had not consented to SMITH's use of R.G.'s personal identifying information.

19. On or about February 17, 2015, SMITH, Co-Conspirator #3, and co-conspirators stole the above-described 2004 Porsche Cayenne, from the seller in Troy, Michigan.

20. On or about March 2, 2015, SMITH, Co-Conspirator #3, and co-conspirators obtained a 2008 Jeep Wrangler (VIN: 1J4GA59178L635984), from an individual in Toledo,

Ohio, using a counterfeit Huntington National Bank cashier's check, bearing check number 96171, in the amount of approximately \$16,900.00.

21. On or about May 15, 2015, SMITH, Co-Conspirator #4 (whose identity is known to the United States Attorney), and co-conspirators obtained a 2008 Lincoln MKZ (VIN: 3LNHM26T78R637639), from an individual in North Royalton, Ohio, using a counterfeit Key Bank cashier's check, bearing check number 40078905, in the amount of approximately \$9,000.00.

22. On or about May 28, 2015, SMITH, Co-Conspirator #4, and co-conspirators obtained a 2007 Lexus E350 (VIN: JTHBJ46G572017844), from an individual in Parma Heights, Ohio, using a counterfeit Key Bank cashier's check, bearing check number 67213039, in the amount of approximately \$13,995.00.

23. Between on or about August 2, 2015, and on or about August 3, 2015, while in Ohio, SMITH and co-conspirators used Pinger to call an individual to arrange the purchase of a 2005 Dodge Magnum (VIN: 2D4GV58235H587254).

24. On or about August 3, 2015, SMITH and co-conspirators obtained the above-described 2005 Dodge Magnum, from an individual in Broadview Heights, Ohio, using a counterfeit Century Federal Credit Union cashier's check, bearing check number 1381179, in the amount of approximately \$12,750.00.

25. On or about August 3, 2015, while in Ohio, SMITH and co-conspirators used Pinger to call an individual to arrange the purchase of a 2004 Infiniti FX35 (VIN: JNRAS08W54X213563).

26. On or about August 3, 2015, SMITH and co-conspirators obtained the above-described 2004 Infiniti FX35, from an individual in Mount Vernon, Ohio, using a counterfeit

Century Federal Credit Union cashier's check, bearing check number 1381178, in the amount of approximately \$6,800.00.

27. Over the course of the conspiracy to defraud, SMITH and co-conspirators unlawfully obtained over ten vehicles, valued in excess of \$95,000.00.

All in violation of Title 18, United States Code, Section 1349.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.

United States v. George Smith, Jr., aka "JR"

CAROLE S. RENDON
United States Attorney

By: Ann C. Rowland
Ann C. Rowland, Chief
Major Fraud & Corruption Unit